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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Shoemaker et al.

Confirmation No.: 7044

Serial No.: 09/724,538

Art Unit: 1634

Filed: November 28, 2000

Examiner: Lu, F.

For: COMPOSITIONS AND METHODS  
FOR EXON PROFILING

Attorney Docket No: 9301-123

**RECEIVED**

**RESPONSE TO RESTRICTION REQUIREMENT**

JUL 12 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

TECH CENTER 1600/2900

Sir:

In response to the Office Action mailed March 26, 2002 in connection with the above-identified patent application, please consider the following remarks.

**REMARKS**

Claims 1-36, 45-46, 86-90, 157-183, and 212-279 are pending in the application. In the Office Action mailed March 26, 2002, the Examiner has required an election of one of the following species: (1) human, (2) plant, and (3) fungus. Applicants hereby elect species (1) human. Claims 1-36, 45, 86-87, 89-90, 157-183, 214-223, 225-235, 237-247, 249-259, 261 and 263-279 are believed to be readable upon species (1) human<sup>1</sup>.

In the Office Action mailed March 26, 2002, the Examiner has also required an election of one of the following species: (1) perturbation is exposure to a drug, (2) perturbation is a genetic mutation, and (3) perturbation comprises mutation of one or more genes and exposure to a drug. Applicants hereby elect species (1) perturbation is exposure to a drug. Claims 1-36, 45-46, 86-90, 157-183, 212-265, 268, 271, 274, and 277 are believed to be readable upon species (1) perturbation is exposure to a drug.

<sup>1</sup> Applicants respectfully point out that in the Office Action mailed March 26, 2002, claims 88 and 224 were erroneously included in the generic claims, whereas claim 223 was erroneously omitted from species (1) human.

Consideration of the above-made remarks is respectfully requested. The Examiner is reminded that an Information Disclosure Statement was filed on January 9, 2002. Applicants respectfully request entry of the above-made remarks in the file of the above-identified application.

Respectfully submitted,

Date: June 24, 2002

  
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